

RSPA-01-10373
(HM-220D)

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Honeywell

Honeywell
P.O. Box 1057
Morristown, NJ 07962-1057

September 27, 2002

United States Department of Transportation
Research and Special Programs Administration
400 Seventh Street, SW
Washington, DC 20590

VIA E-MAIL : Ms. Hattie Mitchell, Chief, Regulatory Review and Reinvention
Hattie.mitchell@rspa.dot.gov

VIA FAX: 202-366-3012

SUBJECT: REQUEST FOR RECONSIDERATION OF RSPA-01-10373 HM-220D - 24

Dear Ms. Mitchell,

Thanks for speaking with my colleagues and me last week regarding the delay of the upcoming effective date of HM-220D. We eagerly await the Federal Register publication delaying the October 1, 2002 mandatory compliance date and appreciate your office's work in this area.

We sincerely hope that the Notice of Delay will also include provisions for the reconsideration and ultimate withdrawal of various aspects of this important Final Rule. In particular, Honeywell is concerned with the following issues:

- CFR §173.301(f)(2) would require a complete redesign of the cylinder-valve assemblies which have been transported in commerce for over 50 years without incident. The new section requires the inlet port of a pressure relief device (prd) to be in the vapor space of the cylinder.
- CFR §177.840 changes the ability of shippers to palletize and offer cylinders containing class 2 gases for transportation by road in a horizontal position unless the inlet port to the relief channel of the prd is located in the vapor space of the cylinder.

Honeywell submitted comments opposing these changes to RSPA during the initial comment period in 1998. We, along with others in the industry, were both surprised and disappointed that our comments were not given more consideration.

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In order to meet the new requirements the valve assemblies, or possibly the cylinders themselves would have to be totally re-engineered at a cost of several million dollars. The Compressed Gas Association, in response to this Final Rule has said "To design, test, implement and distribute a PRD that would at all times be in communication with the vapor phase would require several years and, considering the confined space in which the PRD would be contained, may not be practical or even possible."

If we are required to ship cylinders vertically there would be several significant negative economic and productivity impacts including, but not limited to:

- Re-engineering of palleting operations;
- Re-palletization of thousands of cylinders currently in the supply chain and distribution network;
- Reduction in future LTL and truckload delivery capacities resulting in increased transportation costs.

Honeywell could not possibly complete the tasks required to comply with the vertical shipping rule without completely shutting down our supply chain and cutting off the vital supply of class 2 products to our customers.

For these reasons Honeywell respectfully requests that RSPA reopen the rulemaking and commenting process so that we may more comprehensively present our safety, economic and practical reasons why these rules should be revoked. We propose a public meeting or, if this is not feasible, request a private conference so that we may voice our concerns in person.

Very truly yours,



Barbara Konrad
Manager, Transportation Regulatory Affairs